

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	PROTECTIVE
	:	<u>ORDER</u>
- v. -	:	
	:	17 Cr. 703 (WHP)
SUNITA KUMAR,	:	
	:	
Defendant.	:	

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WHEREAS, the United States of America seeks to provide in unredacted form certain materials pursuant to Rule 16 of the Federal Rules of Criminal Procedure; and

WHEREAS, some material that the Government seeks to provide contains personal identification information of certain individuals, and other confidential information; and

WHEREAS, the Government is willing, under the conditions set forth below, to produce such materials;

IT IS HEREBY agreed, by and between the United States of America, Audrey Strauss, Acting United States Attorney, by Christopher J. DiMase, and the defendant, Sunita Kumar, by and through her attorney, Edward Sapone, Esq., that:

1. Any material reflecting personal identification information (including, but not limited to, names, dates of birth, Social Security numbers, and bank account numbers), and other confidential information, produced by the Government in this action is deemed "Confidential Information" and shall be so

identified by the Government.

2. Confidential Information disclosed to the defendant or to her counsel during the course of proceedings in this action:

(a) Shall be used by the defendant and her counsel only for purposes of the defense of this action;

(b) Shall be maintained in a safe and secure manner solely by the defendant's counsel; shall not be possessed by the defendant, except in the presence of the defendant's counsel; and shall not be disclosed in any form by the defendant or her counsel except as set forth in paragraph 2(c) below;

(c) May be disclosed by the defendant or her counsel only to the following persons (hereinafter "Designated Persons"):

(i) investigative, secretarial, clerical, and paralegal student personnel employed full-time or part-time by the defendant's counsel;

(ii) independent expert witnesses, investigators, or advisors retained by the defendant's counsel in connection with this action;

(iii) such other persons as hereafter may be authorized by the Court upon motion by the defendant; and

(d) Shall be returned to the Government following the conclusion of the trial of the above-referenced

action or upon the defendant's sentencing, as the case may be, and any all copies made of said material shall be shredded, erased, and/or destroyed, as the case may be.

3. The defendant and her counsel shall provide a copy of this Order to Designated Persons to whom they disclose Confidential Information pursuant to paragraph 2(c). Prior to disclosure of Confidential Information to Designated Persons, pursuant to paragraph 2(c), any such Designated Person shall agree to be subject to the terms of this Order by signing a copy hereof and providing such copy to the Government and the defendant's counsel.

4. The provisions of this Order shall not be construed as preventing the disclosure of any information in any motion, hearing, trial, or sentencing proceeding held in connection with the above-referenced action or to any District Judge or Magistrate Judge of this Court for purposes of the above-referenced action.

5. With respect to Confidential Information, any filings with any court shall be governed by Rule 49.1 of the Federal Rules of Criminal Procedure.

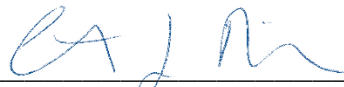
Dated: New York, New York
September 16, 2020

SO ORDERED:



WILLIAM H. PAULEY III
U.S.D.J.

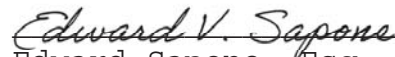
AUDREY STRAUSS
Acting United States Attorney for the
Southern District of New York

By: 

Christopher J. DiMase
Assistant United States Attorney

Consent to Entry of Protective Order

I, Edward Sapone, Esq., have read and reviewed the proposed Protective Order in the case of *United States v. Sunita Kumar*, 17 Cr. 703 (WHP), and I consent to the entry of the Order on behalf of my client, Sunita Kumar.

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Edward Sapone, Esq.

Attorney for Defendant Sunita Kumar